

**VERMONT TOBACCO EVALUATION AND REVIEW BOARD**  
**BOARD MEETING**

**Wednesday, September 9, 2009 3:00 p.m. – 5:00 p.m.**

The Pavilion Building, 109 State Street, Montpelier  
Governor's 4th Floor Conference Room

**MINUTES**

*Present:*

*Edna Fairbanks-Williams, Christy Mihaly, Brian Flynn, Ted Marcy, Mike Hogan, Greg MacDonald, Kate Larose, Armando Villaseca, Travis Todd, Amy Brewer, Marcia Lawrence, Chris Finley, Bill Frank.*

Introductions and Announcements (5 min)

- *Brian welcomed Armando Villaseca, Mike Hogan, and Travis Todd. Travis is the new "under age 30" Board member.*
- *Another new Board member is Sen. Matthew Choate (not present).*
- *Dani Carey has resigned from the Board. We are currently looking for a candidate to fill the "K-12 Educator" Board member position.*
- *Brian and Ted asked Board members to please take a look at the DRAFT RTI Annual Report. There are edits pending, and RTI conclusions and recommendations are only preliminary. The Evaluation Committee would like comments on how this report can be improved for future years. Please send any such suggestions to Stephen by the end of next week (September 18, 2009).*

Public Comment (10 min)

*Nicole Lukas (AHA) from the Coalition for a Tobacco Free Vermont provided public comment concerning the Coalition's FY2011 budget recommendation. Nicole also distributed Rebecca Ryan's (ALA) memo regarding the same issue. The Coalition recommends asking for level funding for FY2011 and that any cuts be dealt across each of the departments, not just the Department of Health. Andy Snyder from the Department of Education provided public comment about realities of federal funding for Vermont's health education programs. Andy suggested that there is a potential loss of federal funds of more than one million dollars.*

Approval of Minutes (5 min)

*Edna motioned to accept the minutes pending two grammatical changes. Minutes (with pending changes) approved. Stephen will make the two suggested grammatical changes.*

## FY2011 Budget Recommendations (VOTE)

(90 min)

- Media and Public Education Committee (Brian)
- Evaluation Committee (Ted)
- Cessation Services Committee (Greg)
- School and Community Programs Committee (Amy)
- Enforcement Committee (Christy/Helen)

*By October 15th, the Board is required to submit its independent FY2011 budget recommendation to the Governor and Legislature. Brian presented the recent history of the Board's Budget recommendations and corresponding actual appropriations since FY2007. Brian reviewed language from the FY2010 Companion Bill (which provided the trust fund allocation for VDH). Committees have met over the summer to consider the possibilities for 80% and 65% funding levels for FY2011.*

*Brian asked each Committee Chair to summarize their Committee's discussion and recommendations (5 minutes each). Brian brought the Board members' attention to the spreadsheet which summarized all FY2011 Committee recommendations. Committee Chair summaries as follows:*

*Brian (Media and Public Education): Brian distributed a handout from the Media and Public Education Committee meeting earlier this summer. The handout demonstrated FY2010 appropriations for media as well as high (80%) and low (65%) funding scenarios for FY2011. The Committee discussed proportional cuts, meaning that the balance between prevention, cessation, and secondhand smoke efforts would be maintained for FY2011. Greg was concerned about the cessation services being overburdened by successful media campaigns. Brian reported that the program can be flexible with the way the campaigns are managed in order to limit this potential effect.*

*Greg (Cessation Services): Greg reported that the current FY2010 cut affected the cessation programs in a major way while demand for services has increased. Recent growth for these programs has led to a need for back paying for FY2009 services rendered. The in-person cessation program will be the most severely curtailed during the current year. The program could serve 750 clients over the next 6-months. The in-person program has a goal of serving 1,750 clients this fiscal year. Volume surge is a concern; people may be turned away. For both FY2010 and FY2011, other services would be reduced as well, but to a smaller degree. For example, funding for the NOT program has already been decreased. There are more people that are asking for services that the cessation programs can serve. Given these funding scenarios, less people will be served and we will*

not be able to provide as much NRT as is needed. Telephone cessation efforts would be increased in FY2011 since it is such an efficient way to provide services. NRT availability per client would be reduced, perhaps throughout all cessation services. There is a large difference between the 80% and 65% scenarios in terms of availability of service. Ted mentioned that losing counselors in hospitals would take away the very valuable bedside service. Greg, Ted, Chris Finley and others will soon review proposals for a newly structured in-person cessation program.

Amy (School and Community Programs): The Committee discussed the importance of, and desire for level funding. The community coalitions each need a minimum of \$40K to operate. The 65% funding scenario would mean fewer coalitions, perhaps 15. Given a 50% cut, the VDH could only fund 10 community coalition grants, and those would need to be in major geographic areas. The current DOE funding is structured to provide a minimum of \$7,000 per district plus formulaic funding level for each district's number of students. Given cuts, the minimum funding would need to be reduced to \$5,000 per district and perhaps a smaller formulaic amount. In this case, larger schools might feel the cut to a larger extent. In any funding reduction scenario, the DOE would need to change the grant structure whether it is needs-based, formula-based, or competitively-based. In this way, all students would have some access to at least some these funds.

Christy (Enforcement): Christy reported that the Enforcement Committee ideally wanted to recommend no cuts, but went through the scenario exercises. The DLC allocation is much smaller than what is found in other departments/program components. The DLC retailer training covers both alcohol and tobacco. DLC also conducts compliance checks. Cuts may result in loss of DLC staff; drastic cuts could affect compliance rates. The Committee looked at the RTI report which suggested focusing fewer resources on youth. RTI plans to explain this recommendation in more detail.

Ted (Evaluation): Ted presented two slides that summarized the Evaluation Committee's FY2011 priorities and budget recommendations. The ATS provides very important and useful information about the comprehensive tobacco control program (TCP). Both the ATS and the independent evaluation contractor would be funded in the Committee's scenario. Other parts of the evaluation would not be funded through the TCP because there are other sources of funding for those tasks. The ATS would be reasonable to do every other year. This allows us to fund other types of evaluation, such as media tracking. This year there will be a national ATS which will collect some of our measures. The national ATS will likely be a one-time methodology and we couldn't rely on it to replace the Vermont ATS. The Board is required to have an independent evaluation contractor.

Brian acknowledged the difficulties of any potential cuts to all the components of the comprehensive tobacco control program budget. We would like to agree on an overall number, or dollar amount for the FY2011 budget. General discussion: Amy mentioned that it would be helpful to have a comprehensive recommendation. Ted recalled the 2008 RTI site visit, which examined resources across programs. The Committee discussions allowed for a detailed examination of programs. We need to work constructively with the legislators this year. Bill suggested the Board make a recommendation based on the level appropriate for each area and then add those numbers up. He would not suggest a flat 20% percent, but rather go through each of the areas. Ted is not sure that process would work at the Board level or that the Board is set up to go through that process. Bill suggested going back to each chair and asking for their recommendation for an upper bound number. Understanding that this could result in a suggestion of level funding, Brian suggested the Board avoid this process. Chris Finley was in favor of asking for level funding (including the trust fund dollars).

Brian suggested 92% funding from FY2009 as a touchstone. This is essentially level funding from FY2010. Ted thinks we will be asked by the administration and others to defend a \$4.8M budget. Armando thinks we could justify this; we have the data. Ted mentioned that we have argued these justifications to the legislature year after year. Ted would like to suggest a \$4.1M recommendation. Bill does not like the \$4.8M number either, as we have been asked by the legislature to review and prepare these programs for reduced funding. Brian read the language from the Companion bill which described the legislators' intent that the Board prepare for reduced funding levels in FY2011.

Brian requested a motion for a total budget number and asked to discuss the issue of distribution of cuts across programs by department.

**Ted moved to approve a budget totaling the high bound recommended by each of the committees (equaling \$4.155M). Greg seconded. Further discussion:** Greg says it is important to follow the instructions from the legislators. Amy was concerned about how each of the programmatic components would be impacted differently, given cuts across programs. Armando agreed and suggested that a 10% cut might be a better number as a good faith gesture. Brian suggested that 10% is basically what the cut was for FY2010. Christy understands the concerns that have been voiced. She stated that we are charged with making recommendations independently and should not recommend a 20% cut. She thinks that we need to communicate with legislators about the cost savings and make an independent recommendation. Chris Finley mentioned that the VDH had

*the only TCP cut this year and it has been difficult. Mike reported that the funds that DLC receives do not pay for all that they currently do. Further cuts would be drastic. He recommends \$4.8M funding. Mike also cited the importance of communicating with legislators during the fall.*

*Vote for Ted's budget motion on the floor (\$4.155M):*

*3 in favor.*

*7 opposed.*

*1 abstention.*

**NOT PASSED.**

*Armando motioned to recommend funding at \$4,814,820. Mike seconded.*

*Discussion: We understand and agree that this cut would be recommended to happen across programs. Bill suggested that this might not present a good message to the legislature.*

*Vote for Armando's budget motion on the floor (\$4,814,820):*

*5 in favor.*

*6 opposed.*

**NOT PASSED.**

*Bill motioned to recommend funding at \$4.4M. Ted seconded.*

*Vote for Bill's budget motion on the floor (\$4.4M):*

*9 in favor.*

*2 opposed.*

**MOTION PASSED.**

*Brian will be working with others in the development of the communication of this recommendation to the Governor and Legislature.*

Other Business

(10 min)

*No other business was discussed.*

*Meeting adjourned at approximately 5:10.*

*Minutes taken by: Stephen Morabito*

*Draft minutes reviewed by: Brian Flynn*

**Materials for Discussion:**

- VTERB Meeting Minutes (June, 2009)
- Final Tobacco Control Program Workplan 2010-2011
- RTI Annual Report (DRAFT)
- FY2011 Budget Spreadsheets (*Revised 09-08-2009*)